

SC NO 247-2025 & IA NO 03-2025
STATE VS. KRISHN KALYAN @ SURAJ & ANR
FIR NO. 29/2025
PS: BABA HARIDAS NAGAR
U/S 109(1)/3(5) BNS
CNR No. DLSW01-003357-2025

27.05.2025

File taken up today on second application under Section 483 BNSS moved on behalf of the applicant / accused Rajesh for grant of bail.

Present: Sh. Brijesh Kumar, Ld. Addl. PP for the State
Sh. J. Joseph Bosco, Ld. counsel for applicant / accused.
IO/SI Malwa Ram is also present and he has filed the reply.

Copy supplied.

1. It is submitted by the Ld. counsel for the applicant / accused that applicant / accused is an innocent person and has been falsely implicated in the present case and has nothing to do with the alleged offence. It is further submitted by Ld. counsel for the applicant/accused that accused is first time offender and he has not caused any injury to the complainant with knife and is in custody since 22.01.2025. It is further submitted by Ld. counsel for the applicant / accused that investigation is complete and no purpose would be served by keeping the applicant / accused in JC any more. It is further submitted by Ld. counsel for the applicant / accused that the co-accused Krishn Kalyan @ Suraj has already been granted bail by this Court on 26.05.2025 and hence, it is prayed that present applicant be also granted bail on the ground of parity.

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2. On the other hand, Ld. Addl. PP for the state has argued on present application and strongly opposed the same.

3. The record reveals that the present applicant/accused is languishing in custody since 22.01.2025. The applicant/accused is facing trial along with co-accused Krishn Kalyan @ Suraj for the offences under Section 109(1)/3(5) IPC. The trial of the case will take long time and is not likely to be completed in a short span of time. Keeping in mind the facts and circumstances of the case and the fact that accused is in custody since 22.01.2025, **the present application stands allowed**. The applicant/accused is hereby granted bail on furnishing personal bond in sum of Rs.20,000/- with one surety in the like amount to the satisfaction of this Court. It is made clear that the State would be at liberty to file application for cancellation of the bail of the applicant / accused, if present applicant involves himself in the similar nature of offence.

4. Accused shall abide by the following conditions:-

i) Accused shall provide permanent address to this Court. The Accused shall intimate the Court by way of an affidavit and to the IO regarding any change in residential address.

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ii) Accused shall appear before the Court as and when the matter is taken up for hearing unless exempted.

iii) Accused shall not indulge in any criminal activity and shall not communicate with or come in contact with the complainant/victim or any member of the complainant/victim's family or tamper with the evidence of the case.

5. Nothing stated herein which shall tantamount to expression of opinion on merits of case and whatever has been stated is only for the purpose of deciding the present application. **Application stands disposed of accordingly.**

6. Re-notify the matter for the date already fixed i.e 14.07.2025. Copy of this order be given dasti to Ld. counsel for applicant / accused, as prayed for. Copy of this order be also sent to Jail Superintendent for information and compliance.

(Deepak Wason)
ASJ-04: South-west District:
Dwarka Courts: New Delhi
27.05.2025